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UNITED STATES BANKRUPTCY COURT

SOUTHERN DISTRICT OF NEW YORK

In re

**LEHMAN BROTHERS HOLDINGS
INC, et al.,**

Debtors.

Chapter 11

Case No. 08-13555 (JMP)

Jointly Administered

**NOTICE OF APPEAL OF ORDER DENYING MOTION OF THE
SUNCAL DEBTORS FOR AN ORDER DETERMINING
THAT THE AUTOMATIC STAY DOES NOT APPLY;
OR, IN THE ALTERNATIVE, GRANTING RELIEF FROM STAY**

PLEASE TAKE NOTICE that SunCal Communities I LLC, SunCal Communities III LLC, SCC/Palmdale LLC, Acton Estates LLC, SunCal Beaumont Heights LLC, SunCal Emerald Meadows LLC, SunCal Johansson Ranch LLC, SunCal Bickford Ranch LLC, SunCal Summit Valley LLC, Seven Brothers LLC, Kirby Estates LLC, SJD Partners Ltd., SJD Development Corp., SCC Communities LLC, North Orange Del Rio Land LLC and Tesoro SF LLC, the debtors and debtors-in-possession (collectively, the “SunCal Appellants”) hereby appeal to the United States District Court Southern District of New York, pursuant to 28 U.S.C. § 158(a), from that certain *Order Denying Motion Of The SunCal Debtors For An Order Determining That The Automatic Stay Does Not Apply; Or, In The Alternative, Granting Relief From Stay* (the “Order”) entered by the United States Bankruptcy Court on May 13, 2010 (Docket No. 9059). Attached hereto as Exhibit “1” is a true and correct copy of the Order that is the subject of this appeal.. The names of all parties to the Order and the names, addresses and their telephone numbers are listed below:

Appellants:

SunCal Appellants

Attorneys For Appellants:

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Appellees:

Lehman Commercial Paper, Inc.
Lehman Brothers Holdings, Inc.

Attorneys for Appellees:

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Other Parties To The Order:

Official Committee of Unsecured Creditors

Attorneys for Other Parties:

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Dated: May 27, 2010

Respectfully submitted,

/s/ Sean A O'Keefe

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Attorneys for the SunCal Appellants

EXHIBIT "1"

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re	:
	:
LEHMAN BROTHERS HOLDINGS INC., et al.,	:
	:
Debtors.	:
	:
	:
-----X	

**Chapter 11 Case No.
08-13555 (JMP)
(Jointly Administered)**

**ORDER DENYING MOTION OF THE SUNCAL DEBTORS FOR
AN ORDER DETERMINING THAT THE AUTOMATIC STAY DOES
NOT APPLY; OR, IN THE ALTERNATIVE, GRANTING RELIEF FROM STAY**

Upon consideration of the motion of the SunCal Debtors for an Order Determining that the Automatic Stay Does Not Apply; or in the Alternative, Granting Relief From Stay, filed April 21, 2010 [Docket No. 8539] (the "Motion"),¹ filed by the SunCal Debtors² seeking a determination that the automatic stay provisions of 11 U.S.C. section 362 do not apply, or in the alternative, an order modifying the automatic stay with respect to Lehman Commercial Paper, Inc. ("LCPI") and Lehman Brothers Holdings, Inc. ("LBHI") and, together with LCPI, the "Debtors") to enable the SunCal Debtors' pursuit of their equitable subordination litigation pending before the Honorable Erithe Smith, Bankruptcy Court for the Central District of California; the Debtor having timely objected to the Motion on May 5, 2010, and a hearing having been held before this Court on May 12, 2010; and it appearing that the SunCal Debtors

¹ Capitalized terms utilized but not defined herein shall have the meaning ascribed to them in the Motion.

² In the Reply re: Motion of the SunCal Debtors for an Order Determining that the Automatic Stay Does Not Apply; or in the Alternative, Granting Relief From Stay, filed May 10, 2010 [Docket No. 8949], the Trustee indicated in a footnote, that he would be withdrawing as a moving party, pursuant to a tentative settlement reached between the Trustee and the Debtors regarding the Trustee's claims in the California Adversary Proceeding.

have not established cause for obtaining relief from the automatic stay pursuant to the Motion;
and for the reasons stated on the record; now, therefore, it is hereby

ORDERED that the Motion is denied.

Dated: New York, New York
May 17, 2010

s/ James M. Peck
HONORABLE JAMES M. PECK
UNITED STATES BANKRUPTCY JUDGE